REMARKS

The application has been amended and is believed to be in condition for allowance.

Section headings were added to the specification.

Claims 1-20 remain in this application.

Claims 1-3 were rejected as anticipated by TSUJITA 6,516,217.

Claims 4-20 were rejected as obvious over TSUJITA in view of LeGARGASSON 6,470,124.

Applicants respectfully disagree.

Claim 1 requires "... output an optical head (4) intended to be placed in contact with the biological tissue (6),". The Official Action refers to elements 200 of TSUJITA Figure 1. But these elements are not "an optical head (4) intended to be placed in contact with the biological tissue (6)," as recited. See partial Figure 1 below.

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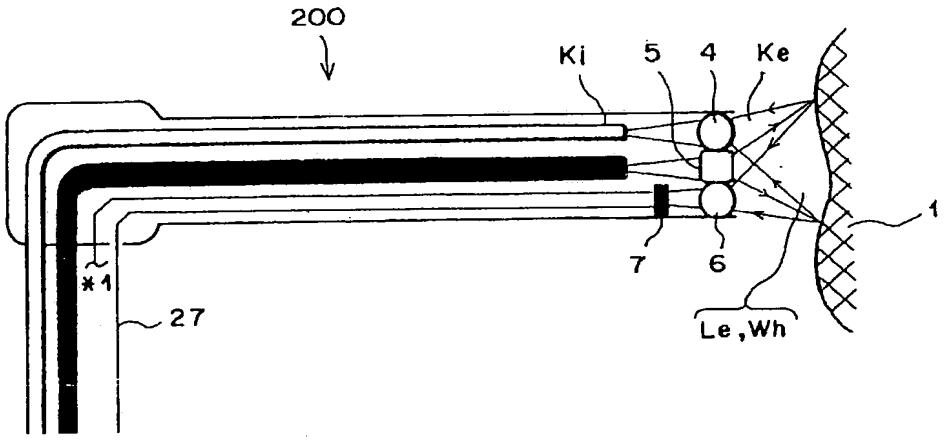


Claim 1 also requires "optical head being equipped with optical means adapted for converging the excitation signal coming out of said bundle (3) into a subsurface analysis zone (5),".

The Official Action refers to elements 4, 5, 6 of Figure 1 and column 4, lines 45-46. The operation of TSUJITA is well explained on column 6, lines 16-56, in which it is clearly stated that the signal coming from sources 17 or 19 illuminates the tissue 1 through lens 5. Lens 5 is illustrated above.

But there is no disclosure of the light coming from lens 5 as converging into the tissue 1. Rather, applicants point out that the lens 5 illuminates the tissue 1 with a divergent light as illustrated on Figure 1 by the two divergent arrows leaving lens 5. Thus, TSUJITA clearly teaches away from the claim recitation of converging the excitation signal.

Further, claim 1 requires "the same optical fibre or fibres of said bundle having served for carrying the excitation signal being used for detecting the signal emitted by said subsurface analysis zone,".

According to Figure 1, particularly elements 4, 6, and column 6, lines 19-56, light emitted by the tissue navigates, on the one side via lens 6 and CCD device 7 as for white light, on the other side via lens 4 and fiber 26 as for fluorescence light. Thus, fluorescence signal emitted by the tissue does not navigate via fiber 25-2 which is the excitation fiber.

Still further, claim 1 requires "means (D) placed upstream of the means for injecting (2) being moreover provided for separating the excitation signal wavelength and the autofluorescence signal wavelength." This feature of the present invention is not found in TSUJITA.

There can be no anticipation unless the reference discloses each recited feature of the invention. From the above, it is clear that at least four recited features of claim 1 are not disclosed by TSUJITA. Therefore, there is no anticipation.

Reconsideration and allowance of claim 1 are respectfully requested.

The dependent claims are allowable at least for depending from an allowable claim.

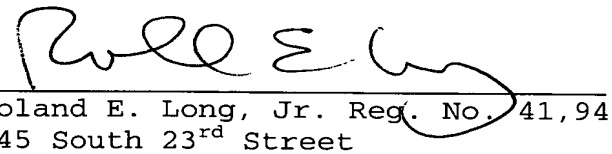
Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Roland E. Long, Jr. Reg. No. 41,949
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REL/mjr